

Anticipated Classification  
of this Application:  
Class 435 Subclass 032000

Prior Application:  
Attorney's Docket No.: 45775 JPW/AJM  
Examiner: D. Jones  
Group Art Unit: 1616

Mail Stop Patent Application  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 29, 2004

S I R:

This is a request for filing a        CONTINUATION X DIVISIONAL  
       CONTINUATION IN PART application under X 37 C.F.R. §1.53(b),  
of pending prior application Serial No. 08/608, 712 filed on  
February 29, 1996 of

Christina Kabbash, Howard A. Shuman, Samuel C. Silverstein, and Phyllis  
Della- Latta inventor(s)

for NOVEL ANTIMICROBIAL ACTIVITY OF GEMFIBROZIL  
Title of Invention

1. X Enclosed is a copy of the prior application.
2. X A verified statement to establish small entity status under  
37 C.F.R. § 1.27  
       is enclosed.  
X was filed in the prior application and such status is  
still proper and desired.
3. X The filing fee is calculated as follows:

**CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT**

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	43-20		23	X	\$ 9	\$ 18	\$ 207	\$ 0
Independent Claims	5-3		2	X	\$ 43	\$ 86	\$ 86	\$ 0
Multiple Dependent Claims Presented <u>      </u> Yes <u>X</u> No					\$145	\$290	\$ 0	\$ 0
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2					BASIC FEE		\$ 385	\$ 770
					TOTAL FEE		\$ 678.00	

22782 U.S.PTO  
10/813322



4.   X   The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 03-3125.
- X   Any additional filing fees required under 37 C.F.R. §1.16.
- X   Any patent application processing fees under 37 C.F.R. §1.17.
5.   X   Three copies of this sheet are enclosed.
6.   X   A check in the amount of \$ 678.00 is enclosed.
7.        Cancel claims                     .
8.        Amend the specification by inserting before the first line the following sentence: --This is a continuation of application Serial No.           , filed           , which is a continuation of Serial No.           , filed           , now United States Patent No.           , issued           .--
9.   X     24   Sheet(s) of        informal   X   formal drawing(s) is/are enclosed.
10.        Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11.        Priority of application No.                                      filed on                      in                      is claimed under 37 C.F.R. §119.
- The certified copy of the priority application has been filed in prior application Serial No.                     , filed                     .
12.   X   The prior application is assigned of record to The Trustees of Columbia University in the City of New York.
13.   X   A preliminary amendment is enclosed.
14.   X   The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Thomas F. Moran, (Reg. No. 16,579); Norman H. Zivin (Reg. No. 25,385); Ivan S. Kavrukov (Reg. No. 25,161); Christopher C. Dunham (Reg. No. 22,301); Thomas G. Carulli (Reg. No. 30,616); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Richard S. Milner (Reg. No. 33,970); Albert Wai-Kit Chan (Reg. 36,479); Lewis J. Kreisler (Reg. No. 38,522); Kristina L. Konstas (Reg. 37,864); and Mary Anne P. Tanner (Reg. No. 40,197).

- (a)      The power appears in the original papers in the prior application.
- (b)   X   Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c)   X   Address all future correspondence to:

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

Tel.: (212) 278-0400

15.   X   Also enclosed: Express mail Certificate of Mailing No. ET735978480US dated March 29, 2004 and Information Disclosure Statement.
16.   X   I hereby verify that the attached papers are a true copy of prior application serial No. 08/608,712 as originally filed on February 29, 1996.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 3/29/07

Respectfully submitted,

John P. White

Registration No. 28,678

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Christina Kabbash et al.  
Application No. : Not Yet Known  
Filed : Herewith  
For : NOVEL ANTIMICROBIAL ACTIVITY OF  
GEMFIBROZIL

1185 Avenue of the Americas  
New York, New York 10036  
March 29, 2004

Commissioner for Patents  
P.O. BOX 1450  
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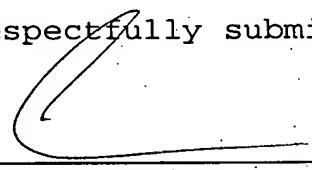
SIR:

**EXPRESS MAIL  
CERTIFICATE OF MAILING  
FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" mailing label number: ET735978480US  
Date of Deposit: March 29, 2004  
I hereby certify that this paper or fee is being deposited  
with the United States Postal Service "Express Mail Post  
Office to Addressee" service under 37 C.F.R. §1.10 on the  
date indicated above and is addressed to the Commissioner  
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Printed Name:  1900A

Respectfully submitted,

  
\_\_\_\_\_  
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